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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,885	10/19/2001	Chia-Hsin Li	AP111HO	8300

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EXAMINER

NANO, SARGON N

ART UNIT PAPER NUMBER

2157

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/032,885	LI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sargon N. Nano	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 - 31 is/are pending in the application.
- 4a) Of the above claim(s) 1 - 11, 29 - 31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12 - 28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **Response to Amendment**

1. This action is responsive to amendment received on January 26, 2006.

Claims 12 – 28, for prosecution.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 12 – 28 are rejected under 35 U.S.C. 102(e) as being anticipated by  
Yacoub U.S. Patent No. 6,452,692

Yacoub teaches a print server for print jobs printed on a networked printers. The user is capable of determining an available printer or having the server automatically determining the available printer (see abstract).

As to claim 12, Yacoub teaches a network system comprising: a network server having a remotely accessible application providing selectable access to a plurality of independent activities, said network server maintaining a cross-reference list associating each of said independent activities with at least one of a plurality of approved periphery devices (see col. 4 lines 16 – 26, Yacoub discloses a server selects from an approved list and appropriate printer);

a client computing device for remote communication with said network server and for requesting access to said plurality of independent activities (see col. 7 lines 16 – 46, Yacoub discloses a client requests a print job in a letter or draft mode) ;

providing an accessory computing device coupled as a periphery device to said client computing device (see col. 7 lines 13 – 46, Yacoub discloses a print job is sent to a printer connected to a user's machine);

wherein said network server denies said client computing device access to any of said plurality of independent activities in response to said accessory computing device not being among said plurality of approved periphery devices (see col. 15 lines 19 – 55, Yacoub discloses a job is denied and an error message is sent to the server where another printer is selected from an appropriate list of printers) .

As to claim 13, Yacoub teaches the network system of claim 12, wherein said network server further denies said client computing device access to any of said plurality of independent activities that is not associated with said accessory computing device as determined by said cross-reference list, and further permits access to any of said plurality of independent activities that are associated with said accessory computing device as determined by said cross-reference list (see col. 15 lines 19 – 55).

As to claim 14, Yacoub teaches the network system of claim 12, wherein said network server responds to a request for said remote accessible application by providing said client computing device with a selection list of said plurality of independent activities, said network server then determining if said accessory computing device is among the plurality of approved periphery devices associated with

the independent activity selected by said client computing device as determined by said cross-reference list, said client computing device being denied access to the selected independent activity if said accessory computing device is not among the plurality of approved periphery devices associated with the selected independent activity (see col. 15 lines 19 – 55).

As to claim 15, Yacoub teaches the network system of claim 14, wherein said network server permits said client computing device to select only one of said plurality of independent activities from among said selection list (see col. 5 lines 3 – 43 , Yacoub discloses a printer can print black and white or color).

As to claim 16, Yacoub teaches the network system of claim 14, wherein said network system responds to a selection of one of the independent activities from said selection list by supplying said client computing device with a second selection list of approved periphery devices associated with the selected independent activity and requesting that said client computing device identify said accessory computing device as one of said approved periphery devices on said second selection list (see col. 5 lines 57 – col. 6 line 24).; and

wherein said network server uses at least the client computing device's response to said second selection list to determine if said accessory computing device is among the plurality of approved periphery devices associated with the independent activity selected by said client computing device (see col. 5 lines 57 – col. 6 line 24).

As to claim 17, Yacoub teaches the network system of claim 16, wherein said network server further interrogates said client computing device for the existence of

installed software drivers for the approved periphery device selected from said second selection list as additional criteria for determines if said accessory computing device is among the plurality of approved periphery devices associated with the independent activity selected by said client computing device (see col. 2 lines 44 – 52).

As to claim 18, Yacoub teaches the network system of claim 14, wherein said network server requests that said client computing device interrogate said accessory periphery device and obtain identification data identifying said accessory periphery device, said identification data being relayed to said network server for determining if said accessory computing device is among the plurality of approved periphery devices associated with the independent activity selected by said client computing device (see col. 1 line 60 – col. 2 line 16).

As to claim 19, Yacoub teaches the network system of claim 12, wherein said network server responds to a request for said remote accessible application by first identifying said accessory computing device and determining if the identified accessory computing device is among said plurality of approved periphery devices;

said network server then providing said client computing device with an approved activity list showing the plurality of independent activities that are associated with said accessory computing device as determined by said cross-reference list (see col. 15 lines 19 – 55).

As to claim 20, Yacoub teaches the network system of claim 19, wherein said network server identifies said accessory computing device by at least providing an approved periphery list showing all of said plurality of approved periphery devices and

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requesting that said client computing device identify said accessory computing device as one of said approved periphery devices on said approved periphery list (see col. 6 lines 16 – 24).

As to claim 21, Yacoub teaches the network system of claim 20, wherein said network server further interrogates said client computing device for the existence of installed software drivers for the approved periphery device selected from said approved periphery list as additional criteria for determines if said accessory computing device is among the plurality of approved periphery devices (see col. 2 lines 44 – 52 and col. 6 lines 16 – 24).

As to claim 22, Yacoub teaches the network system of claim 12, wherein each of said network server has access to a library of image sets, each of said image sets including a thumbnail representation of a respective image, a displayable representation of said respective image, and a printable representation of said respective image, said displayable representation image being of higher resolution than said thumbnail image, said printable representation image being of higher resolution than said displayable representation image (see col. 8 lines 9 – 56);

wherein said network server responds to the actuation of any of said plurality of independent activities by supplying said client computing device with a thumbnail selection group of thumbnail representation images corresponding to a plurality of said image sets, said client computing device defining a target image from among said thumbnail selection group, and said network server responding to the selection of said

target image by transferring the target image's corresponding displayable representation image to said client computing device (see col. 9 line 46 – col. 10 line 33).

As to claim 23, Yacoub teaches the network system of claim 22, wherein said accessory periphery device is a printing device and said network server transfers the printable image representation of said target image to said client computing device in response to a printing command from said client computing device (see col. 9 line 46 – col. 10 line 33).

As to claim 24, Yacoub teaches the network system of claim 23, wherein the actuated independent activity permits said client computing device to edit the transferred displayable representation image corresponding to said target image, and recreates on said transferred printable image a representation of any edits committed to said displayable representation image prior to sending said transferred printable representation image to said printing device (see col. 9 line 46 – col. 10 line 33).

As to claim 25, Yacoub teaches the network system of claim 22, wherein the displayable representation images of each of said image sets have a resolution substantially equal to that of a display device coupled to said client computing device (see col. 9 line 46 – col. 10 line 33).

As to claim 26, Yacoub teaches the network system of claim 22, wherein each of said plurality of approved periphery devices is a predefined printing device, and said printable representation images of each of said image sets have a resolution at least equal to the resolution of the highest resolution printing device among said plurality of approved periphery devices (see col. 9 line 46 – col. 10 line 33).



As to claim 27, Yacoub teaches the network system of claim 12, wherein said plurality of approved periphery devices are a plurality of printing devices (see col. 6 line 16 – 24).

As to claim 28, Yacoub teaches the network system of claim 12, wherein said plurality of independent applications include at least one of a greeting card creating activity, a book cover creating activity, a decorative box creating activity, a decorative gift wrapping paper creating activity, a picture frame creating activity, a decorative paper fan creating activity, a business card creating activity, and a photo editing activity(see col. 4 lines 44 – 59).

### ***Response to Arguments***

3. Applicant's arguments have been fully considered but they are not persuasive.

In the remarks applicant argue in substance that A) Yacoub does not disclose a server provides access to an application that in turn provides selectable access to a plurality of independent activities. In response to A), Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978). , nowhere in the claim does it specify what the independent activities are and what they are independent of.

B) Yacoub does not teach the denial of access to any of the plurality of independent activities . In response to B), Yacoub discloses the denial of access to an independent activities if the access computing device is not an approved peripheral device , however an independent activity from another approved device can be granted access even though it may be a similar activity (see col. 5 lines 29 – 43 ).

C) applicant argue that Yacoub does not disclose that the user identify one specific periphery device. In response to C), Yacoub discloses if a busy signal is returned the user is given a choice between of waiting for the current printer or having the server choose the next available appropriate printer (see abstract).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

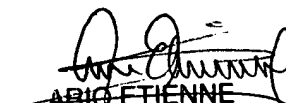
**4.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N. Nano whose telephone number is (571) 272-4007. The examiner can normally be reached on 8 hour.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano  
March 28, 2006



ARIO ETIENNE  
PRIMARY EXAMINER